

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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HEENA SHIM-LARKIN,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendant.  
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**JENNIFER E. WILLIS, United States Magistrate Judge:**

Pro se Plaintiff Heena Shim-Larkin (“Plaintiff”) filed a motion for default judgement pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Dkt. Nos. 898–900. Plaintiff alleges that Defendant City of New York (“Defendant”) failed to file its pre-trial statement in accordance with Judge Torres’ individual rules. Dkt. No. 899. Plaintiff argues that missing the pre-trial motion deadline entitles her to a default judgement. Id.

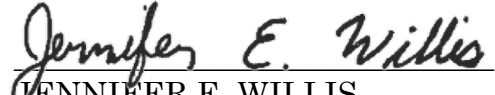
Defendant responds that Judge Torres filed an order that “the court shall set pre-trial motion deadlines in due course” and such deadlines were not set. Dkt. No. 903. Defendant then concludes that Judge Torres’ order overrides her individual rules and because no deadlines were set there is no default. Id.

While Plaintiff is correct that the Local Rules of this court and a judge’s individual rules often govern the deadlines of a case, judges’ specific orders in any given case may supersede those deadlines. By order dated March 20, 2024, Judge Torres stated “[t]he court shall set pre-trial motion deadlines in due course.” Dkt. No. 893. Judge Torres has not yet set any deadlines for pre-trial motions in this case.

Therefore, Defendant has not missed any pre-trial deadlines and Plaintiff's motion for default judgement is DENIED.

SO ORDERED.

DATED: New York, New York  
October 24, 2024

  
JENNIFER E. WILLIS  
United States Magistrate Judge